

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division**

CSX TRANSPORTATION, INC.,	)	
	)	
<i>Plaintiff,</i>	)	
	)	
v.	)	Case No. 2:18-cv-530
	)	
NORFOLK SOUTHERN RAILWAY COMPANY, <i>et al.</i> ,	)	
	)	
<i>Defendants.</i>	)	
	)	

**NOTICE OF MOTION TO FILE DOCUMENTS UNDER SEAL**

Defendant Norfolk Southern Railway Company (“NS”), by counsel, hereby provides notice, pursuant to Local Rule 5(C), that it has moved the Court to seal its unredacted Reply in Support of its Motion to Exclude the Opinions of Professor Howard P. Marvel.

These documents contain and/or reference information that Plaintiff CSX Transportation, Inc. (“CSX”), Defendant Norfolk Southern Railway Company (“NS”) or Defendant Norfolk & Portsmouth Beltline Railroad Company (“NPBL”) has indicated is “CONFIDENTIAL,” “HIGHLY CONFIDENTIAL,” or “CONFIDENTIAL – ATTORNEY’S EYES ONLY” under the Stipulated Protective Order entered in this matter. ECF No. 79. These documents contain highly confidential or sensitive information relating to CSX’s, NS’s, or NPBL’s transportation and shipping practices, business strategy, internal communications, and other highly confidential, proprietary and sensitive business information, release of which would harm CSX, NS, or NPBL.

Any party or non-party may submit memoranda in support of or in opposition to this Motion within seven (7) days, designating all or part of such memoranda as confidential. Any information designated as confidential in a supporting or opposing memoranda will be treated as sealed pending a determination by the Court on the Motion to Seal. Any person objecting to this

Motion must file an objection with the Clerk within seven (7) days after the filing of this Motion.

If no objection is filed in a timely manner, the Court may treat the Motion as uncontested.

Dated: November 14, 2022

Respectfully submitted,

/s/ Alan Wingfield

Alan D. Wingfield (VSB No. 27489)  
Michael E. Lacy (VSB No. 48477)  
TROUTMAN PEPPER  
HAMILTON SANDERS LLP  
1001 Haxall Point  
Richmond, Virginia 23219  
Telephone: (804) 697-1200  
Facsimile: (804) 698-6061  
Email: alan.wingfield@troutman.com  
Email: michael.lacy@troutman.com

John C. Lynch (VSB No. 39267)  
Kathleen M. Knudsen (VSB No. 90845)  
TROUTMAN PEPPER  
HAMILTON SANDERS LLP  
222 Central Park Avenue, Suite 2000  
Virginia Beach, VA 23462  
Telephone: (757) 687-7759  
Facsimile: (757) 687-7510  
Email: john.lynch@troutman.com  
Email: kathleen.knudsen@troutman.com

Tara L. Reinhart (*admitted pro hac vice*)  
Thomas R. Gentry (*admitted pro hac vice*)  
SKADDEN, ARPS, SLATE,  
MEAGHER & FLOM LLP  
1440 New York Avenue, N.W.  
Washington, D.C. 20005  
Telephone: (202) 371-7000  
Email: tara.reinhart@skadden.com  
Email: thomas.gentry@skadden.com

*Attorneys for Norfolk Southern Railway  
Company*